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March 23, 2011

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, D. C. 20423

ENTERED
Office of Proceedings

MAR 22 2011

Part of
Public Record

Dear Ms. Brown:

This refers to Docket No. FD 35410, Adrian & Blissfield Rail Road Company--Continuance in Control Exemption--Jackson & Lansing Railroad Company, and Docket No. FD 35411, Jackson & Lansing Railroad Company--Lease and Operation Exemption--Norfolk Southern Railway Company, and to the letter of the Yreka Western Railroad Company ("YW"), dated February 17, 2011, requesting leave to withdraw the Comments filed by YW on February 10, 2011.

Although it may be without precedent, YW, pursuant to 49 C.F.R. §1117.1, respectfully requests leave to withdraw its letter of February 17, 2011, requesting leave to withdraw its Comments, filed February 10, 2011.

YW's withdrawal request was met by a vitriolic Reply by the Adrian & Blissfield Railroad Company ("ADBF") and Jackson & Lansing Railroad Company ("JAIL") to the YW's Comments. The Reply referenced matters pertaining to the YW which are totally irrelevant and extraneous to the issues before the Board and which evidently were intended to discredit YW with the Board. Moreover, the Reply of ADBF and JAIL launched a viscous personal attack upon Mr. Court Hammond, neither a customer of ADBF or JAIL or a party to this proceeding.

The Board's Canons of Ethics, 49 C.F.R. §1103.25(a), provides, "A practitioner shall always treat adverse witnesses and other litigants with fairness and due consideration. He should never minister to the prejudice of a client in a trial or conduct in a cause. The client has no right to demand that the practitioner representing him abuse the opposing party or indulge in offensive personal attacks."

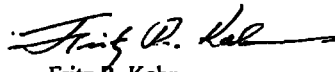
The Board's admonition parallels Rule 4.4 of the Rules of Professional Conduct adopted by the District of Columbia Court of Appeals on March 1, 1990, which provides, "In representing a client, a lawyer shall not use means that have no substantial purpose other than to embarrass, delay or burden a third person, or use methods of obtaining evidence that violate the legal rights of such a person."

In the light of the totally inappropriate Reply by ADBF and JAIL, YW asks that it be allowed to withdraw its letter of withdrawal and to allow its Comments, filed February 10, 2011, to remain a part of the record in these proceedings.

If you have any question concerning this filing or I otherwise can be of assistance, please let me know.

A copy of this letter has been served on ADBF and JAIL by sending a copy by e-mail to their counsel, Karl Morell, Esq., at kmorell@balljanik.com.

Sincerely yours,


Fritz R. Kahn

cc: Karl Morell, Esq.
Mr. Court Hammond